Maybe preserved

G. R. S. 58]

Previous references.

Ch 211-12

File No. 199-13

1915.

Serial Nos. 1-2

(Courts)

Later references.

GR 67-14 C1-45

Ch E 16 (476)

GENERAL AND REVENUE SECRETARIAT.

Serial Nos. 1 - 2

Part B for August 1914

SUBJECT.

Confirmation of Mr N. G. Lakshminarasimha Iyengar, Munsiff

From the Registrar, Chief Court, Mysore
No 2415/200 dt 15th Dec 1913
Forwards a representation the above subject & recommends the confirmation as prayed for.

2. To the Compiler Mysore Gazette No J 546 dt 26 Aug 14
Confirms Mr N. G. Lakshminarasimha Iyengar in the office from the 21st Aug 1913
No J 547 & No J 548 to the Comptroller & the Registrar, Chief Court; Forwarding copy of the notification in the office certain observations

GPB—5,000—22-10-10

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G.R.S. 11] 1913-14

GENERAL AND REVENUE SECRETARIAT.

(Courts)

NOTES.

File No. 199 of 1913

FILE HEADING.

Confirmation of Mr N. G. Lakshminarasimha Iyengar Munsiff

From

The Registrar, Chief Court

No. 2415/200 Dated 15/17-12-1913 Received 19/20-12-1913

Diary No. J1869	Enclos. 1	Spare Copies.	Serial No. 1

BRIEF ABSTRACT OF LETTER.

Forwards copy of Mr Lakshminarasimha Iyengar's representation praying for a reconsideration of the order regarding the date of his confirmation and stating that, in the opinion of the Chief Court, the Munsiff's request is reasonable

NOTES AND ORDERS.

Subd with previous refce.

Mg-116

2/2/1914

Mr Lakshmi Narasimha Iyengar's case was dealt with last year in Cts File No 211-12

NOTES—First Sheet.

GPB—30,000—12-8-11

G. R. S. 12]

General and Revenue Secretariat. | File No. | of 191

Serial No.

He now applies for a reconsideration of the order passed in his case. His view of his case is stated to be reasonable by the Ch. Court.

3 The following statement may perhaps be useful in bringing out the salient points of this officer's case.

	Date recommended for confirmation	Date when he would get Rs 200
According to the Chief Court	23rd March 1912.	1st Nov 1912
According to the Fl Secretary	23rd March 1912	1st Nov 1912
" " First member.	23rd March 1912	21st Aug 1913
According to final order of Govt.	23rd March 1914	23rd March 1914

4 The Chief Courts' recommendation is based on the view that there was a permanent vacancy on the 23rd March 1912, that he was entitled to confirmation then & that the new rules regarding probation, passed only on 6-1-13 have no retrospective effect. This view was agreed to by the Fl Secy & partly by the First member as regards the date of Confirmation; but the First member suggested that he might be

NOTE—Contn. sheet.

GPB—60,000—7-11 -13

J 1869

G. R. S. 12]

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General and Revenue Secretariat. | Cls File No. 199 of 191 3-14

Serial No.

given Rs 200 only from 21st Aug 1913, i.e two years from the date of his first appointment. In the Govt order, he was ordered to be treated on probation from 23rd March 1912 + to be confirmed only on 23rd March 1914

5 The Officer now urges that the Order of 6-1-13 can have no application to him as it was passed long after the permanent vacancy occurred + that, by that order he would be entitled to get Rs 200 from that date

6 Submd. for orders

Dy Secy
First member

SJOA 11/2
Dy Secy & Actg Secy 14/2

7 I am of the same opinion as before. I think that the fairest course is to give him 200 Rs from the date he finished 2 yrs of continuous tenure (acting or permanent) i.e. from 21 Aug 1913

(Please circulate as a Council case)

17/2/14
SJOA

NOTE—Contn. sheet.

C. Section Assistant
by

GPB—60,000—7-11-13

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G. R. S. 12]

General and Revenue Secretariat. | File No. of 191 .

Serial No.

8 Jagree kirk Kd Finn Number.
K Naw
24.2.14

9 Jagreetro
5/3 well

8013
5.3.14

Duwan)

Duwan Agent Clerk
5/3

GPB—1,000—19-7-13

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Extract from the Proceedings of the 326th Meeting of the Council of His Highness the Maharaja, held at Bangalore on the 22nd July 1914.

6. SUBJECT. - (Clause v of the Schedule).

Memorial from Mr.H.G.Lakshminarasimhiengar, praying for confirmation as Munsiff from 23rd March 1912.

OPINION OF THE COUNCIL.

10 In accordance with the decision of Government in the case of Mr.Alasingrachar, Munsiff, some concession may be shown in this case also and Mr.H.G.Lakshminarasimhiengar may be confirmed as Munsiff from the 21st August 1913, the date on which he finished two years of continuous tenure of his office.

Sd. M. Visvesvaraya,
Dewan of Mysore.

"Extract"
D. Narasaraja.
Offg. Secretary to Govt.

F. R. S. 12]

6 1809 6

General and Revenue Secretariat.	File No.	of 191

Serial No.	
11	Draft Submission Note is put up in accordance with the Hon'ble Council Dewan) Duraiswamy Rao 25/7

460
25/7-14

NOTE—Contn. sheet.

GPB—69,000—7-11-13

Submitted to His Highness.

12 With reference to the decision of Government that Mr. N.G. Lakshminarasimha Iyengar cannot be confirmed as Munsiff on Rs.200 before the 23rd March 1914, the Chief Court have sent up a copy of that officer's representation praying for a reconsideration of the order and state that, in their opinion, the Munsiff's request is a reasonable one as he had apparently become entitled to confirmation in a permanent vacancy before the new rules came into force.

U
Ch 211-12-2
Q
Encl to Ch 199-13-1

Paper under disposal 81-1

13 2. The First Member, with whom the other Members agree, states that he is of the same opinion as before viz., that Mr. Lakshminarasimha Iyengar should, in fairness, be given Rs.200 with effect from the 21st August 1913.

Pages 3 + 4 of the office notes

14 3. The reasons for my recommendation sanctioned by His Highness, are stated fully in my note of the 9th ~~April~~ September 1913. I still think that the decision of Government already communicated to the Chief Court is not unfair to the Munsiff. It is true that, as stated by the Chief Court, this officer was entitled to confirmation on the occurrence of a permanent vacancy on the 23rd March 1912, but this confirmation would have been on Rs.150 and not on Rs.200, and he could not have risen to the latter pay except after a further service of two years from the date of confirmation. If the new rules were applied in his case, he would have had to put in a probationary period of two years on Rs.200, that is, in a permanent vacancy, which however accrued only on the 23rd March 1912. Thus in either case he could not have earned a salary of Rs.200 before the 23rd March 1914.

H
Ch 211-12

O
J 1869-70
Ch 158-12-1

6-1-13

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The mere omission to provide expressly for transitional cases of this kind in the rules should not enable an officer to claim only what is advantageous under both the rules without submitting himself to the disabilities of either.

15

4. In these circumstances the case was again considered in Council on the 22nd July 1914. The opinion of the Council is that, strictly speaking, Mr. Lakshminarasimha Iyengar is entitled to nothing more than what has already been decided by Government but that a concession similar to that shown in the case of Mr. D. Alasingrachar, Munsiff, may be extended to him by confirming him from the 21st August 1913, the date on which he completed 2 years of continuous service.

Page 5 of the file notes

16

5. This proposal may be graciously approved by His Highness.

M. Viswanatha
17th Aug. 1914

Record of Cases submitted for the Orders of His Highness the Maharaja

Subject.

Memorial of Mr.N.G. Lakshminarasimha Iyengar, B.A.,B.L., praying for a reconsideration of the orders passed confirming him as a Munsiff of the fifth class from the 23rd March 1914.

No. 153.

Order.

17 ~~KRW~~
18/8/14

16.9.14.

19.8.14

18)

G. R. S. 12]

General and Revenue Secretariat. | Ct File No. 199 of 1913-14

Serial No.	
	1) Subd with a draft notfn. KE 116 22/8/14 NM (First Committee) Gs 25/8
	2) Draft appd: by 1st Member. NRR. 23.8.14. Gs 25/8
	3) Issue Gs 25/8
2	To, The Compiler, Mysore Gazette. No. J 546, Dt 26-8-14. Notifies the confirmation of Mr. V. Lakshminarasimha Iyengar B. A., B. L., as Munsiff, Fifth Class, with effect from the 21st, August, 1913.
	To, the Comptroller, thro' Br: II. No. J 547, Dt 26/27-8-14. forwards copy of the above with observation that this supersedes the order conveyed in this office memo. No. J 1600, Dt the 28th, Nov., 1913.
	To, the Registrar, Ch. Ct. No. J 548, Dt 26/27-8-14. forwards copy of the above

B/1869

NOTE—Contn. sheet.

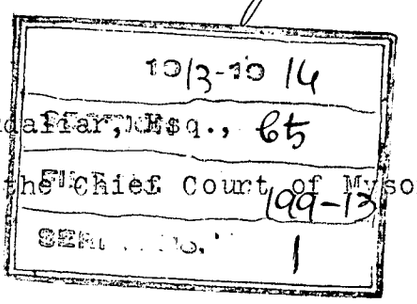
GPB—69,000—7-11-13

No. 2415 Genl 200

BANGALORE,

15th December 1913.

17a DIARY No. J 1869



From

V. A. Rajaratna Mudaliar, Esq.,
Registrar of the Chief Court of Mysore.

To

K. R. Srinivasiengar, Esq., M. A.,
Secretary to the Government of Mysore,
General and Revenue Departments.

Sir,

Flag V

Adverting to your letter No: J 1599/Cts 211-12-2 dated the 28th November 1913, stating that Mr. N. G. Lakshminarasimha Iyengar cannot be confirmed as Munsiff before the 23rd March 1914, I am directed to forward a copy of that officer's representation dated the 10th instant praying for a reconsideration of the order, and to state that in the opinion of the Chief Court the Munsiff's request is a reasonable one as he had apparently become entitled to confirmation in a permanent vacancy before the new rules came into force.

I have the honor to be,

Sir,

Your most obedient servant,

V. Rajaratna

REGISTRAR.

H.C.C.

809

Encl to Ch 198-13-1 2

Letter No: 485 dated the 10th December 1913 from the Munsiff of Chikmagalur to the Registrar of the Chief Court of Mysore through the District Judge of the Shimoga Division.

With reference to Shimoga District Judge's Memo No: 1222/516 dated the 4th December 1913, favouring me with a copy of the Government Order No: J 1599/Cts 211-12-2 dated the 28th November 1913, stating that under Government proceedings No: J.1869-70/Cts 158-12 dated the 6th January 1913, I should be treated as on probation for 2 years from 23-3-12 and that I cannot be confirmed before 23-3-14, I have the honor to bring the following few lines for your kind and sympathetic consideration.

1. The Government Order in question was passed on 6-1-13 and there is nothing in its wording either expressly or impliedly, making its provisions regarding the probation of Munsiffs for two years applicable with retrospective effect. In other words, it lays down that officers appointed to be Munsiffs (i.e., after the date of the said Government Order) shall be on 2 years' probation on Rs 150/- before becoming eligible for confirmation.

2. I was appointed long before the date of the said Government Order and when a permanent vacancy occured on 23-3-12, I at once became entitled to confirmation under the rules then in force (Government Proceedings No: J. 1212-13 dated 12-2-1903).

3. I am therefore to be treated as on the footing of a Munsiff already confirmed on the date of the Government Order dated the 6th January 1912; and this Government Order, so far as it affects my case at all has the effect of raising my pay forthwith to Rs 200/- as under it no confirmed Munsiff could draw less than Rs 200/-.

4. The mere fact that the question of my confirmation was taken up after some delay and came up before Government, subsequent to the passing of the present Government Order should not

C/15 .22/12

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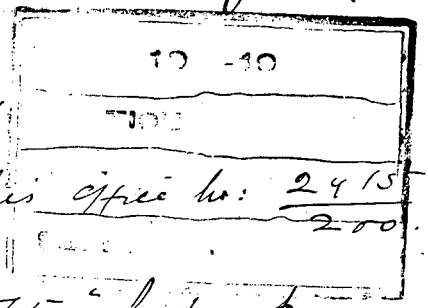
Bangalore
22 December 1913
DIARY No. 9.1899



Dear Sir

I am desired to request that in the last paragraph of the copy of the Chief Secretary's representation sent

Write the above the figures Date

'23. 3. 1913' may be corrected

as '23. 3. 1912'.

—

Jean Lucas

Lt Aquatfuehrer

—

P. Leskien-Kriegsmarine Anstalt

Asst. Leg & Sat.

(3

not be allowed to prejudice my case, - the more so, as the express object of the said Government Order is "to improve" the position and prospects of Munsiffs and not to take away or to postpone a confirmation already rightfully earned prior to the date of the Government Order.

5. In these circumstances, I would respectfully urge that I have a strong case and pray that the Honorable the Chief Court may be pleased to kindly move Government to reconsider my case and confirm me with effect from 23-3-1912 23-3-1913 as already recommended by them.

Vide Registrar's D.O. dt 22/12/13

~~I have, etc.,~~

Sd/ N. G. Lakshminarasimha Iyengar,

Munsiff, Chikmagalur.

S T R A R .

Corrected accordingly.

19
4/14

Confirmation of Mr N.G. Lakshminarasimha Iyengar as Municip...

G. R. S. 26]

File No. 199 of 191

Serial No. 2

Diary No. of letter replied to

ale. Compl
No 76 999
27-8-14-161
& 31-8-14

No. JS 746

General and Revenue Secretariat

( )

, the 191 .

To

Notification

Mr N. G. Lakshminarasimha Iyengar, B.A., B.L., Actg Municip is confirmed as Municip, Fifth Class with effect from the 21st August 1913.

By order

Date of issue 26.8.14

Signed by [illegible] Rao.

JS 7489.

Paper under disposal 26/27-8-14

To the Compiler, Mysore Gazette

Copy to the Registrar, Chief Court, with reference to his letter no. 2415/200 dated the 15th December 1913, and in modification of this office no J 1599/CS

P.T.O. over.

SUBJECT.

211-12-2 Dy the 28th Nov 1913.

Copy to the Comptroller, J547 & 26/27-8-14
Mysore Govt, through Br II,
for information. This supersedes
the order conveyed in this office
Memo no. J1600 dy the 28th Nov 1913.

By order

for Offg: Secy to Govt 23/8/14

Rg. 416 MK
22/8/1914

List of enclosures

Copied by MR 26-6-14

Examined by N

GPB—25,000—4-3-13